

REMARKS

Claims 33, 38-42, 55, and 69 are amended; claims 33-42, 55-62, and 69-82 are now pending in this application.

Affirmation of Election

As provisionally elected by Applicant's representative, Tim Clise, on December 14, 2004, Applicant elects to prosecute the invention of Group I, claims 22-42 and 56-62. The claims of the non-elected group II of claims 69-82 remain pending. Applicant reserves the right to later file continuations or divisions having claims directed to the non-elected species. The Office Action states that the invention of Group II does not require a wafer support. Independent claim 69 is amended to clarify the claim and recites "moving the cleaning surface into contact with a wafer support; and removing contaminants from the wafer support." A wafer support is recited. Accordingly, applicant requests that the restriction be withdrawn and all pending claims be examined.

§112 Rejection of the Claims

Claims 33-42 and 55-62 were rejected under 35 U.S.C. § 112, first paragraph, as lacking adequate description or enablement. Claims 33-42 and 55-62 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. Applicant respectfully traverses.

The Office Action asserts that the claims embrace an invention which contains any support and any cleaning surface. However, independent claim 32 explicitly recites providing a cleaning surface of a cleaning head assembly; moving the cleaning surface into contact with the support adapted to releasably hold a wafer. Applicant points to the specification as a whole to enable one of ordinary skill in the art to practice the invention. Specific cites to the specification include, but are not limited to page 2, line 21 through page 3, line 9; page 4, lines 8-13, and page 8, line 24 through page 9, line 25. Applicant further points to Figures 5 and 6. Based at on the specification as a whole, applicant asserts that the pending claims are enabled. Reconsideration and withdrawal of the § 112, first paragraph rejection are requested.

The Office Action states that claims 33 and 55 are indefinite because the language “adapted to releasably” since “adapted” is not a positive limitation. Applicant respectfully traverses. This phrase is taken out of context. The present wafer support as described in the specification and recited in claim 33 holds a wafer during fabrication. However, the support releasably holds a wafer such that the wafer moves to further processing and the support surface is cleaned without the wafer present. That is, the wafer is releasably held on the wafer but not on the wafer during cleaning. Accordingly, adapted to releasably hold a wafer is an element of the claim and limits the type of support on which the present method acts. Withdrawal of the § 112, second paragraph rejection of claims 33 and 55 is requested.

The Office Action states that claims 38-42 are indefinite as it is unclear whether “the surface” refers to the wafer supporting upper surface or the cleaning surface. Applicant traverses. One of ordinary skill in the art would readily discern the intended claim language. Nonetheless, applicant amends claims to more clearly recite the subject matter of the claims. Withdrawal of this rejection is requested.

The Office Action states that claim 37 is indefinite because the term “wafer supporting upper surface” since there is no positive recitation of a wafer. Applicant traverses. No wafer is necessary for this feature to be definite. The phrase “wafer supporting upper” are adjectives that describe features of the surface of the support, not the wafer, which is not an element of the claim. These features are structure and relate directly to the claimed method. Withdrawal of the § 112, second paragraph rejection of claim 37 is requested.

The Office Action states that claim 41 is indefinite since polytetrafluoroethylene is a type of plastic and therefore claim 41 should be dependent on claim 40. Applicant traverses. While this statement in the office action may be true, there is not requirement that each species of a genus must be claimed as a dependent of the genus. Applicant request specific authority for the examiner to require such a claim drafting style. Withdrawal of this § 112, second paragraph rejection is requested.

§102 Rejection of the Claims

Claims 33, 37, 55 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hiatt et al. (U.S. Patent No. 5,966,635). Applicant respectfully traverses.

Claim 33 recites providing a cleaning surface of a cleaning head assembly; moving the cleaning surface into contact with the support adapted to releasably hold a wafer; and removing contaminants from the support by vacuuming the contaminants through the cleaning head assembly. Applicant can not find these features in Hiatt. For example, applicant can not find where Hiatt teaches or even suggests removing contaminants from the support by vacuuming the contaminants through the cleaning head assembly as recited in claim 33. As applicant can not find all of the features of claim 33 in Hiatt, applicant request withdrawal of the rejection of claim 33.

Claim 37 depends from claim 33 and is believed to be allowable therewith. No further comment at this time is believed to be necessary. Applicant reserves the right to further argue the patentably distinctions of claim 37 over Hiatt at a later time.

Claim 55 recites removing a wafer from the support adapted to releasably hold a wafer; thereafter, moving the cleaning surface into contact with the support; and removing contaminants from the support adapted to releasably hold a wafer by vacuuming the contaminants through the cleaning surface. Applicant can not find these features in Hiatt. For example, applicant can not find where Hiatt teaches or even suggests removing contaminants from the support adapted to releasably hold a wafer by vacuuming the contaminants through the cleaning surface as recited in claim 55. As applicant can not find all of the features of claim 55 in Hiatt, applicant request withdrawal of the rejection of claim 55.

§103 Rejection of the Claims

Claims 34-36 and 56-59 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hiatt et al. (U.S. Patent No. 5,966,635) in view of Su et al. (U.S. Patent No. 5,507,874). Claims 34-36 depend from claim 33 and are believed to be allowable therewith as Su does not cure the defects of Hiatt as a reference under § 103(a). No further comment at this time is believed to be necessary. Applicant reserves the right to further argue the patentably distinctions of claims 34-36 over Hiatt and Su at a later time.

Claims 56-59 depend from claim 55 and are believed to be allowable therewith as Su does not cure the defects of Hiatt as a reference under § 103(a). No further comment at this time

is believed to be necessary. Applicant reserves the right to further argue the patentably distinctions of claims 56-59 over Hiatt and Su at a later time.

Claims 38-41 and 60-62 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hiatt et al. (U.S. Patent No. 5,966,635) in view of Su et al. (U.S. Patent No. 5,507,874). Claims 38-41 and 60-62 respectively depend from claim 37 and 55 and are believed to be allowable therewith as Su does not cure the defects of Hiatt as a reference under § 103(a). No further comment at this time is believed to be necessary. Applicant reserves the right to further argue the patentably distinctions of claims 38-41 and 60-62 over Hiatt and Su at a later time.

Claim 42 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hiatt et al. (U.S. Patent No. 5,966,635) in view of Satterfield et al. (U.S. Patent No. 5,364,144). Claim 42 depend from claim 42 and is believed to be allowable therewith as Satterfield does not cure the defects of Hiatt as a reference under § 103(a). No further comment at this time is believed to be necessary. Applicant reserves the right to further argue the patentably distinctions of claims 42 over Hiatt and Satterfield at a later time.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 349-9587 to facilitate prosecution of this application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date

22 March '05

By



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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment/Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22 day of March, 2005.

Name

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